

REMARKS

Claims 1, 2 and 4 to 15 are in the application.

The Examiner will note that the subject matter of claim 3 has been included in claim 1.

Since the Examiner has indicated in the Office Action that claims 2 to 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, it is submitted that claim 1, and the claims depending therefrom, are now allowable.

The references to Lorscheidt and Moss appear to at least individually disclose the principal features of the present invention according to which the feeding plunger can be moved only towards the dispensing outlet and is locked in the opposite direction, and the closure cap is designed with a double wall with an inner cap that can be axially displaced relative to the closure cap.

However, in a dispenser stick constructed as a simple combination of the two references as suggested by the Examiner,

when the closure cap is screwed onto the housing the protruding unused stick compound is forced laterally out of the thread of the stick because the feeder piston cannot be pushed back into the housing because it is locked, or the closure cap can only be incompletely screwed back onto the housing.

The configuration according to the present invention prevents the compound from being squeezed out laterally. In accordance with the present invention, the closure cap which is axially movable by means of a spring element connected to the inner cap can yield - by being axially displaced - to the pressure produced by screwing the cap onto the stick substance against the tension of the spring. A complete closure of the housing is achieved in spite of this axial displacement. This pressure-reducing possibility is not available in the cap-shaped insert 17 arranged loosely within the closure cap in the dispenser stick of Lorscheidt; this possibility is also not rendered obvious by the reference to Lorscheidt because the reference does not discuss the treatment of protruding stick substance which has not been used when screwing the closure cap back on.

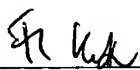
Accordingly, it is submitted that claim 1 as amended is patentable over the art of record because the record does not show the configuration of the inner cap being elastically connected to

to the closure cap in the axial direction by means of a spring element.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on January 11, 2008.

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